



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No.: 10/650,933  
Attorney Docket: GP-301753

Filing Date: August 28, 2003

Applicant: Edward D. Tate Jr. et al.

Group Art Unit: 2838

Examiner: Pia Florence Tibbits

Title: SIMPLE OPTIMAL ESTIMATOR FOR PBA STATE OF CHARGE

**CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. § 1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail addressed to: Mail Stop Amendment Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450

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Signature:

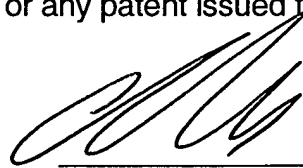
*Stephanie Harbin*  
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Commissioner for Patents  
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**DECLARATION UNDER 37 C.F.R. § 1.132**

1. In an Office Action dated December 10, 2004, the Examiner cited U.S. Pat No. 6,359,419 and U.S. Pat. No. 6,441,586 against the claims of the present application.
2. The inventors named in the present application invented the subject matter that is disclosed in the above-identified cited references. Therefore, the inventions disclosed in the cited references are not "by another" as required to qualify as prior art under 35 U.S.C. §102(e).

3. The undersigned hereby declares that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements are made punishable by fine or imprisonment, or both, under 18 U.S.C. §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.



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